



FILED

MAY 23 2016

Clerk of the Courts
Rec'd By _____

Adm 2016-00039

**THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

511 Union Street
Suite 600
Nashville, TN 37219

May 18, 2016

James M. Hivner, Clerk
100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

**MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

FOR PUBLIC RELEASE

Chris Craft
Chairperson

Timothy R. Discenza
Disciplinary Counsel

Patrick J. McHale
Assistant Disciplinary Counsel

Kenny Armstrong
Miles Burdine
Angelita B. Dalton
Joe F. Fowlkes
Tas Gardner
Dee Gay
J. Ronald Hickman
Chris A. Hodges
Thomas W. Lawless
Christy R. Little
Larry J. Logan
Norma Ogle
Ward Phillips
J. Michael Sharp
Dwight E. Stokes

Mr. Michael Cross
Judicial Commissioner (former)
6025 Stage Road
STE 42-268
Bartlett, TN 38134

RE: Board of Judicial Conduct Complaint of
Stacy E. Ransom
Board of Judicial Conduct File No. B15-6087

Dear Mr. Cross:

This letter shall serve as a public letter of reprimand pursuant to your agreement with an investigative panel of this Board.

This matter involves the case of and a hearing held April 9, 2015, identified as Shelby County General Sessions Court No. 15610568, a hearing over which you presided as Judicial Commissioner.

- A. At the aforementioned hearing, the respondent was represented by an attorney who had recommended you for a part time prosecutor position with the Town of Collierville in March of 2015, the previous month to the hearing.
- B. Before, during and after the said hearing referenced herein, at no time did you disclose your relationship with the attorney representing the claimant's adversary and that said attorney had recommended you for the part time prosecutor position.

- C. At the April 9, 2015, hearing, you dismissed the petition of the claimant upon motion of the said attorney, and in addition, awarded a \$750 attorney fee to that attorney who had recommended you for a position in his office the previous month.

The Canon or rules allegedly violated by the above-described conduct are therefore the following, as they were in effect at the time of the conduct:

CANON 2 — A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.

Rule 2.11 Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding...

... (4) The judge knows or learns by means of a timely motion that a party, a party's lawyer, or the law firm of a party's lawyer has made contributions or given such support to the judge's campaign that the judge's impartiality might reasonably be questioned...

(C) A judge subject to disqualification under this Rule, other than for bias or prejudice under paragraph (A)(1) or for participation in a judicial settlement conference under paragraph (A)(6)(e), may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive disqualification. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be disqualified, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding...

(D) Upon the making of a motion seeking disqualification, recusal, or a determination of constitutional or statutory incompetence, a judge shall act promptly by written order and either grant or deny the motion. If the motion is denied, the judge shall state in writing the grounds upon which he or she denies the motion...

Comment

[1] Under this Rule, a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific provisions of paragraphs (A)(1) through (6) apply. In many jurisdictions, the term "recusal" is used interchangeably with the term "disqualification."

[2] A judge is obligated not to hear or decide matters in which disqualification is required, even though a motion to disqualify is not filed.

...[5] A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible motion for disqualification, even if the judge believes there is no basis for disqualification.

Upon receiving notice from Disciplinary Counsel in this matter, through counsel, you promptly responded and have fully cooperated with the Board of Judicial Conduct. You have fully and without hesitation or reservation complied with and assisted the Board of Judicial Conduct in addressing and resolving this matter and there appears to be no evidence of intent of wrongdoing on your part.

Accordingly, this letter constitutes a Public Reprimand for your actions in the above matter, pursuant to Tenn. Code Ann. § 17-5-301.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Craft", written over a horizontal line.

Chris Craft
Presiding Judge

cc: Mr. Thomas E. Hansom
Attorney at Law
659 Freeman
Memphis, Tennessee 38122